STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION
STATE HOUSE STATION 17 AUGUSTA, MAINE 04333

BOARD ORDER

IN THE MATTER OF

ENPRO SERVICES OF MAINE INC. SOUTH PORTLAND CUMBERLAND COUNTY, MAINE HAZARDOUS WASTE TRANSFER FACILITY & WASTE OIL STORAGE & COMMERICAL HAZARDOUS WASTE STORAGE AND TREATMENT LICENSE # 0-000017-HR-M-R, LICENSE # O-000017-97-H-R & LICENSE # O-000017-H1-K-R	)	MAINE HAZARDOUS WASTE SEPTAGE & SOLID WASTE MANAGEMENT ACT FINAL RENEWAL LICENSE

Pursuant to the provisions of 38 M.R.S.A Sections 1301 through 1319-Y, 06-096 CMR 850 through 857, Maine Hazardous Waste Management Rules (July 23, 2008), 06-096 CMR 860, Maine Waste Oil Management Rules (June 18, 1988) the Board of Environmental Protection has considered the license application of ENPRO Services of Maine Inc. with its supportive data, agency review comments, and other related materials on file and FINDS THE FOLLOWING FACTS:

1. APPLICATION SUMMARY

A. Application: ENPRO Services of Maine, Inc. (hereinafter ENPRO) has applied for the renewal of the following Department Licenses for their South Portland, Maine facility on November 20, 2008:

- License, #O-000017-97-G-R and #O-000017-H1-J-R for the storage and treatment of waste oil and hazardous waste.
- License #O-000017-HR-M-R for a hazardous waste transfer facility.

B. History: ENPRO is a licensed facility operating at 106 Main Street in South Portland, Maine. It was originally constructed by Jet-Line Services Incorporated in 1982, for the storage and treatment of waste oil and industrial wastewater generated in Maine and in other states. The facility was also licensed by Jet-Line Services as a hazardous waste transfer facility for the temporary storage (up to ten (10) days) of twenty (20) drums of hazardous waste prior to transport to an off site licensed hazardous waste facility for treatment and or disposal.

On July 13, 1987 Jet-Line received transfer facility license #O-000017-95-A-N for the storage of fourteen (14) drums of ignitable and toxic wastes and six (6) drums of corrosives wastes, for a total of twenty (20) drums. This license was amended on July 28, 1989 for the storage of waste gasoline at its transfer facility.

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The original license was issued on July 13, 1987 as #O-000017-95-A-N; the amended license was issued on July 28, 1989 as #O-000017-95-B-N; a license renewal was issued on July 29, 1992 as #O-000017-HR-C-R; and an after the fact renewal license was issued on December 20, 1998 as #O-000017-HR-G-R.

On November 2, 1987 at the direction of the Department, Jet-line filed an application for a commercial waste oil storage and treatment facility. On July 26, 1988 Jet-Line filed an application for a commercial hazardous waste treatment and storage facility for the storage and treatment of waste gasoline only. Jet-Line received final license #O-3-97-A-N and #O-17-95-C-N for the storage and treatment of hazardous waste (waste gasoline) and waste oil on August 22, 1990. This license was subsequently amended by Jet-Line for the storage and treatment of wastes that are hazardous due to the "toxicity characteristic" (T) as promulgated by the U.S. Environmental Protection Agency. The amendment as approved by the Board on July 17, 1991 allowed for the storage and treatment of certain (T) wastes at this facility that are chemicals inherently found in waste oils and waste gasoline and not listed hazardous waste that could be managed at the facility. The above licenses were transferred to Environmental Compliance Corp. (ECC) on January 27, 1993 (License #'s O-000017-B-T, O-000017-H1-D-T and O-000017-D-T. This license was subsequently renewed by the Board on August 14, 1996 as license #O-000017-97-D-R & #O-000017-HA-F-R. These licenses were transferred to Environmental Facilities Incorporated on December 6, 2001, and subsequently transferred to ENPRO on December 20, 2001 (License #'s O-000097-G-R, O-000017-H1-H-T and O-000017-HR-I-T.

On April 28, 2008 ENPRO was issued transfer facility license #O-000017-HR-K-N for the temporary storage (not to exceed ten days) of an additional ninety six – 55 gallon containers of hazardous waste at this facility. This area consists of two 48 foot box trailers lined with coated quarter inch diamond steel plating for secondary containment. The area is permitted to store hazardous waste types identified in 06-096 CMR 850, Section B through C of the Department's Hazardous Waste Management Rules for a period of up to ten (10) days. ENPRO's existing license includes the following areas found on figure 3. The waste water treatment area and the hazardous waste transfer areas that include cells A through D within the vicinity of the waste water treatment area and bays 1 through 4 located in paved parking area 2, the container storage room, the loading and unloading area and the tank farm. The construction of a Morton / Butler type metal building is a proposed change being requested in this renewal application.

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C. Summary of Proposal: ENPRO is proposing to renew its licenses for the storage and treatment of hazardous wastes, waste oil and the operation of hazardous waste transfer areas at its facility in South Portland, Maine. ENPRO also stores oil contaminated debris such as sorbents, protective clothing, soil, sludge and other nonhazardous waste in 30-yard roll off containers and/ or enclosed box trailers. ENPRO is authorized to store up to seven (7) 30 yard roll-off containers and two (2) box trailers containing a maximum of twenty-four (24) cubic yards each for the storage of the above mentioned debris. ENPRO also utilizes the box trailers for the storage of empty containers. The roll-off containers and box trailers are stored on paved parking areas behind locked gates pending transport off-site for proper disposal. As part of the renewal application, ENPRO is proposing to construct a Morton or Butler type steel building at the south end of the ENPRO property for the treatment and storage of non-hazardous oily debris and non-hazardous sludge and other non hazardous wastes generated through their services. The building would be used to consolidate and stabilize these waste streams prior to shipment off site for proper disposal. These activities currently take place outside in roll-off containers.

The facility anticipates managing an average weekly through-put of forty thousand (40,000) gallons of waste oil, ten thousand (10,000) gallons of waste gasoline, six thousand (6,000) pounds of metals contaminated waste and one hundred and sixteen (116) 55 gallon drums or equivalent capacity containers that meet the requirements of 06-096 CMR 854, Section 12 C (4) & (5) of the Department's hazardous waste management rules, in the ten (10) day transfer areas. The proposed metal building would contain two (2) lined ninety five cubic yard concrete bins for stabilizing oily debris and non-hazardous waste sludge generated as part of its waste oil and waste handling business.

D. Facility as licensed

Waste oil and waste gasoline/water mixtures are delivered by bulk or in vacuum or tanker trucks and in DOT approved containers. Incoming waste oil is inspected and sampled by ENPRO pursuant to the facility's approved waste analysis plan for polychlorinated biphenyl's (PCB's), total halogens and flash point prior to off loading to ensure it is not a hazardous waste. Waste gasoline/water mixtures are off loaded directly to tank T- 4, a six thousand (6,000) gallon above ground

storage tank designed for the storage of flammable materials (see figure 3). Waste gasoline is treated through gravity separation, characterized and sent off-site to a properly licensed facility for disposal and/or re-use.

After treatment by ENPRO, the waste oil is either sent off site to an end user as a fuel supplement, refinery stock or sent off site to other permitted waste oil facilities for recycling.

Containers of waste oil are off-loaded at the facility and transferred to the drum storage area prior to being emptied via portable pumps to the transport vehicles or waste oil treatment tanks, which are listed below (see figure 3).

WASTE	Maximum Volume in Gallons	Storage Vessel
Waste Oil storage/treatment	15,000	T-1
Waste Oil storage/treatment	15,000	T-2
Waste Oil storage/treatment	15,000	T-3
Gasoline and gasoline water	6,000	T-4
*Waste Oil containers of various sizes	6,160	containers
10 Day Hazardous Waste Transfer Areas containers of various size	12,760	containers

*1,760 gallons of which may be hazardous waste

ENPRO presently imports waste oil and waste gasoline/water mixtures and hazardous waste into the State of Maine from other states (e.g., MA, CT, VT and NH) via properly licensed transporters. All waste oil and hazardous waste imported into Maine from out of state is documented on a hazardous waste manifest. Out of state non-hazardous waste shipped to ENPRO is documented on appropriate shipping papers such as nonhazardous waste manifests or bills of lading. ENPRO collects waste gasoline from homeowners, and other household hazardous wastes that meet the facility's waste acceptance parameters and are compatible with ENPRO's floor sealant and liner materials.

ENPRO's existing facility has a total maximum storage capacity of sixty nine thousand, nine hundred and twenty (69,920) gallons. Forty five thousand (45,000) gallons of waste

oil may be stored in tanks and six thousand, one hundred and sixty (6,160) gallons of waste oil may be stored in drums in the drum storage area. One thousand, seven hundred and sixty gallons (1,760) gallons of the total approved capacity in the drum storage area may be containers of hazardous waste. Six thousand (6,000) gallons of waste gasoline (hazardous waste) may be stored in a dedicated tank, and twelve thousand, seven hundred and sixty (12,760) gallons of hazardous waste may be stored in drums in the ten (10) day hazardous waste transfer areas. These containers of waste must remained closed at all times while in storage and must be shipped off site in the receiving container within ten (10) days of ENPRO accepting them at the facility.

ENPRO also stores oil contaminated soil, oil contaminated debris associated with oil spill response activities and other nonhazardous wastes and sludge in up to seven (7) 30 yard roll-off containers. These materials are shipped off-site to a properly licensed facility for disposal or recycling.

2. GENERAL DESCRIPTION OF THE FACILITY:
The facility as presently operated by ENPRO consists of six (6) areas:

A. Tank storage and treatment area
B. Unloading/loading area
C. Hazardous waste storage and (gasoline / gas water mixtures)
D. Drum storage area
E. Ten day hazardous waste transfer areas
F. Roll-off storage area. (The proposed Butler or Morton steel building for the storage and treatment of oily debris, sludge and other non-hazardous waste (special waste) generated through ENPRO's activities would be located on this area.)

A detailed description of the six (6) areas is provided below:

A. Tank Storage and Treatment Area:

The tank storage and treatment area consists of a 60 foot long by 31 foot wide by 6 foot high (60'x 31' x 6') concrete containment structure that does not have a roof and is open to the environment. The containment structure consists of a three foot (3') thick reinforced concrete slab underlain with two (2) 40 mil Petrogard X gasoline resistant liners on a one-foot sand and gravel pad.

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This area contains four storage tanks (T-1, T-2, T-3 and T-4). Tanks T-1, T-2 and T-3 have a storage capacity of fifteen thousand (15,000) gallons each and are used for the storage and treatment of waste oil. Tank T-4 is a six thousand (6,000)-gallon "LUBE CUBE" double walled, above ground waste gasoline (hazardous waste) storage tank.

Tanks T-1, T-2 and T-3 are vertical above ground lined storage tanks used for the storage and treatment of waste oil. The tanks have an overall height of twenty-four (24') feet from the base of the tank supports to the top of the tanks. The tanks are supported on steel legs that allow for four (4') feet of clearance under each tank and 10 inches of clearance under the tank piping. This allows for visual inspections of the exterior tank bottom and also enables an expeditious clean up if leaks or spills occur in the containment area. The height of the storage vessels, not including the supporting structure, is twenty three feet two inches (23'2").

The tanks utilized by ENPRO for the storage of waste oil and hazardous waste are engineered to meet stress values and factors of safety as required by Underwriters Laboratories (UL) 142, "Standard for Steel Aboveground Tanks for Flammable and Combustible Liquids", American Petroleum Institute (API) 650, "Welded Steel Tanks for Oil Storage", and NFPA 30, "Flammable and Combustible Liquids Code" standards. All four tanks are equipped with tank level indicators and high level alarms with a visible monitor that indicates product levels of each tank for the tank farm operator. The high level alarms activate within two (2') feet of the full tank capacity causing an audible alarm and a visible light on a monitor located in the tank containment area.

B. Loading/Unloading Area

Vehicles are parked in the loading/unloading area while off-loading or loading waste oil, waste gasoline (hazardous waste) and gasoline water mixtures (hazardous waste). This area is also used for the loading and unloading of drums (containers) of waste oil, waste gasoline and gasoline water mixtures for storage in the drum storage or hazardous waste transfer areas.
ENPRO's existing license also allows the use of this area for the consolidation of hazardous waste sludge, sand blast material and manhole sediment from containers in the drum storage area into 30 cubic yard roll-off containers staged

on the loading /unloading area. The roll-offs are required to be covered while in storage with a water proof tarp at all times except when wastes are being added before being shipped off site for disposal as hazardous waste. The hazardous waste being consolidated in this area is a solid with no flowable or liquid characteristics.

This area is constructed of a six inch (6") reinforced concrete slab over two 40-mil Petrogard X gasoline resistant liners. The slab slopes back to a sump, which is used to collect precipitation and spill containment. Water collected in the sump is pumped to ENPRO's waste water treatment system as needed. Containment is provided by a six inch high concrete dike wall along the north side, a 1 ½ foot roll over berm at the entrance to the loading/unloading area, and a five foot dike wall on the south side.

C. Hazardous Waste Storage Tank (waste gasoline/gasoline water mixture)

The hazardous waste storage tank is a horizontal "LUBE CUBE" tank (Tank T-4) designed for the above ground storage of flammable petroleum products. The tank is located on 5" skids, which allows for inspection on all sides. It is located within the dike area, which consists of a three foot (3') concrete pad underlain by two 40 mil Petrogard X gasoline resistant liners. The tank is double walled, encased in a two-hour fire resistant concrete vault, which is wrapped in steel. The tank is equipped with vent lines to control vapors. The tank also has a continuous, automatic leak detection system which consists of an alarm monitor and sensor installed within the interstitial space of the double wall tank. The sensing of liquid hydrocarbons in the interstitial space would activate a visual and audible alarm.

D. Drum Storage Area

The drum (container) storage area is located in an existing building and consists of an approximately thirty by forty-eight foot (30'x 48') open area. The area was formerly used for equipment storage. This area has a concrete floor and utilizes twelve inch (12") high containment walls. Containment at doorways and loading areas is provided by of twelve inch (12") roll-over berms.

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The area is capable of handling up to a total of one hundred and twelve (112) drums, up to fifty-five (55) gallons in size or containers of equivalent capacity (to meet the secondary containment) of hazardous waste or waste oil in combination. Drums and containers are stored in rows with thirty-six inches (36") of aisle space, and positioned to allow for daily inspection and unobstructed movement of personnel, spill response equipment and fire protection equipment in the event of an emergency. This area is equipped with a foam fire suppression system with a remote feed and manually operated pull boxes for fire emergencies.
ENPRO also utilizes the drum storage area for the storage of up to (32) containers up to fifty-five (55) gallons in size of metals bearing hazardous waste. The metal-bearing waste is received at the facility in 55-gallon drums or other DOT-approved shipping containers. ENPRO tracks its incoming and outgoing hazardous waste quantities such that, at no time will the total storage of hazardous waste exceed 8,860 gallons (the permitted capacity of the facility for 180 day storage) of hazardous waste. The permitted hazardous waste storage capacity at ENPRO consists of the following waste streams: sand blast grit contaminated with heavy metals, contaminated sediment/soil, liquid, filter media, absorbents and up to nine (9) containers of flammable petroleum wastes in cell D in the facility. ENPRO anticipates handling approximately four hundred (400), 55 gallon drums of metal contaminated hazardous waste annually. It is anticipated that 80% of this waste is lead contaminated debris from sandblasting operations and the cleaning of bottom sediment from utility manholes. In the case of manhole sediment the lead contamination is from lead conduit and lead solder dross. The remaining 20% would consist of sludge and filters from businesses such as metal plating, metal working etc. The metal- bearing waste stream is sent for disposal from the ENPRO facility either in the same container as received or is consolidated into 30 cubic yard roll–off containers. The roll-offs are lined, leak proof containers that must remain closed except for when waste is being added. Once bulking or consolidation has been completed, the containers are covered with tarps to prevent any accumulation of precipitation prior to transport to a properly licensed hazardous waste disposal facility. The shipping containers (roll-offs) are accompanied by a completed hazardous waste manifest and the appropriate Land Disposal Restriction (LDR) notifications.

Individual containers that are not consolidated (bulked) are shipped off site in the original container for disposal via a properly licensed hazardous waste conveyance (box trailers). The hazardous waste is shipped to pre-approved facilities licensed to accept the waste. These containers are also accompanied by

completed hazardous waste manifests and the appropriate (LDR) notifications if required.

ENPRO has sealed the drum storage area with Benjamin Moore & Co. M-40 sealant in order to enhance the impermeability of the drum storage area. Chemical tests on this sealant were performed following the ASTM C267 procedure. The process involved the submerging of fully cured panels into specific chemicals at 77° Fahrenheit for up to thirty (30) days to test compatibility. This coating was applied in two applications of eight millimeters (8 mil) each by experienced applicators according to the manufacturer's specifications. ENPRO inspects the sealant as part of its operations and repairs damaged areas as needed to ensure the sealants ongoing integrity.

The drum storage area is permitted for the following hazardous wastes:

Hazardous Waste	Characteristic	Waste Code
Arsenic	Toxic	D004
Barium	Toxic	D005
Cadmium	Toxic	D006
Chromium	Toxic	D007
Lead	Toxic	D008
Selenium	Toxic	D010
Silver	Toxic	D011

E. Ten Day Hazardous Waste Transfer Area:

The existing transfer areas consists of four compartments located inside the ENPRO treatment area, west of the drum storage area and the two lined forty eight (48) foot box trailers. The compartments are sealed with Benjamin Moore & Co. M-40 sealant. The trailers are lined with ¼ inch diamond plate steel pans for secondary containment. The steel pans and grating are epoxy coated for added protection from corrosion. Each box trailer has a storage capacity of ninety-six (96) fifty- five (55) gallon containers or their equivalent or up to 5,280 gallons of hazardous waste. The trailers are licensed to temporarily store (up to ten (10) days) all hazardous wastes identified in 06-096 CMR 850, Section 3 B through C of the Department's Hazardous Waste Management Rules. The compartments located inside the ENPRO facility consist of the following:

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1. Compartment A is an eight foot by twelve foot (8' x 12') sealed concrete storage cell capable of storing up to eight (8) fifty five 55 gallon containers of hazardous waste or their equivalent for a total capacity of 440 gallons. This cell is used for the storage of acids or corrosives.

2. Compartment B is an eight foot by twelve foot (8' x 12') sealed concrete storage cell capable of storing up to eight (8) fifty five 55 gallon containers of hazardous waste or their equivalent capacity for a total of 440 gallons. This cell is used to store acids or corrosives.

3. Compartment C is a twelve foot, six inch long (12' x 6") by fourteen feet, six inches (14' x 6") wide compartment with a quarter inch steel pan in place as a liner. This cell is capable of storing up to fifteen (15) fifty five gallon containers or their equivalent capacity for a total of 825 gallons. This cell is used to store ignitable and toxic hazardous waste.

4. Compartment D is a fifteen feet long by nineteen feet (15' x 19') wide sealed concrete cell capable of storing up to nine (9) fifty five (55) gallon containers of hazardous waste or their equivalent for a total of 495 gallons. ENPRO utilizes this cell for the storage of flammable motor fuels, such as waste gasoline and aviation gas as an overflow if the hazardous waste tank is full. This cell is permitted for the storage of up to 180 days for this specific waste stream. The cell is also used for the storage of gasoline contaminated sediment pending analysis to determine proper disposal. ENPRO can also use this area as a 10 day transfer area for toxics and ignitable wastes when not being utilized as a180 day storage area.

   A continuous sealed concrete block wall separates the cells from one another and ensures proper separation of incompatible hazardous wastes. These areas are presently approved for the following hazardous wastes.

Hazardous Waste	Hazardous Characteristics	Waste Codes
Hydrochloric Acid	Corrosive	D002
Sulfuric Acid	Corrosive	D002
Hydrofluoric Acid	Corrosive	D002
Nitric Acid	Corrosive	D002

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Hazardous Waste	Hazardous Characteristics	Waste Codes
Phosphoric Acid	Corrosive	D002
Chromic Acid	Corrosive	D002
Muriatic Acid	Corrosive	D002
Acetone	Ignitable	F003
Alcohol	Ignitable	D001
Benzene	Ignitable/Toxic	F005
Butanol	Ignitable	D001
Hexane	Ignitable	D001
Chlorobenzene	Toxic	F002
Ethanol	Ignitable	D001
Methanol	Ignitable	F003
Pentachloroethane	Toxic	U184
Trichloroethylene	Toxic	F001
Toluene	Ignitable/ Toxic	F005
Xylene	Ignitable	F003
Paint thinners	Ignitable	D001
Solvent NOS	Ignitable	D001
Styrene	Ignitable/Reactive	D001/ D003
Turpentine	Ignitable	D001
Wastewater Treatment Sludge from Electroplating	Toxicity	F006
Waste gasoline	Toxicity/ Ignitability	D018/D001
Hazardous Waste	Characteristic	Waste Code
Mineral Spirits	Ignitable	D001
Methanol	Ignitable	D001
Ethanol	Ignitable	D001
Alcohol Based paint	Ignitable	D001
Chromic Acid	Corrosive	D002/D007
Copper based digestion solution	Corrosive	D002
Acid preserved sample	Corrosive	D002
Hydrogen chlorine based cleaner (toilet)	Corrosive	D002

Hazardous Waste	Hazardous Characteristics	Waste Codes
Sodium Hydroxide	Corrosive	D002
Potassium Hydroxide	Corrosive	D002
Sodium Carbonate	Corrosive	D002
Sodium Hypochlorite	Corrosive	D002
Silver Acetate	Toxic	D011
Lead shot, solder	Toxic	D008
Mercuric Nitrate Solution	Toxic	D009
Leather Dye	Ignitable	D001
Methanol based paint remover	Ignitable	D001
Shellac	Ignitable	D001
Sulfuric Acid	Corrosive	D002
Hydrochloric Acid	Corrosive	D002
Denatured Alcohol	Ignitable	D001
Acetone	Ignitable	D001
Toluene	Ignitable	D001
Potassium Chromate	Ignitable/Toxic	D002/D007
Ammonium Hydroxide	Corrosive	D002
Xylene	Ignitable	F003
Arsenic Tribromide	Toxic/Corrosive	D002/D007

F. Roll Off and Box Trailer Area

This is a paved parking area outside the building secured by a locking gate and chain link fence. ENPRO stores roll-off containers with oily debris such as soil, contaminated clothing, sorbent material and non-hazardous sludge. All roll-offs are covered with tarps when not in use and box trucks are locked when not in use. ENPRO does not dispose or store any waste oil or hazardous waste in this area. Once roll-off containers are full they are shipped off site to a properly licensed facility for treatment and disposal or reuse.

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3. ENPRO PROPOSED CHANGES

As part of its renewal application, ENPRO proposes three modifications. These are listed below:

A. ENPRO is proposing to amend its existing license by the installation of a Butler or Morton type steel building approximately 70 feet by 80 feet by 45 feet high (70' x 80' x 45') for the treatment of oily debris such as tank bottoms, sediment, clothing and sorbent materials and other solid or special wastes generated through ENPRO's response and general activities. The foundation floor and walls would be constructed of reinforced concrete underlain with a 40 mil polyethylene liner for added containment. Inside the building would be a poured reinforced concrete vault approximately sixty (60) feet long by fifteen (15) feet wide spilt into two-ninety five (95) cubic yard bins by a concrete wall. These dimensions may vary in the final design. The bins would be sloped to collect liquids if any. The bins would be sealed with a compatible sealant equivalent to the M-40 used in the transfer and hazardous waste storage areas for added impermeability. The west side of the building would be capable of storing up to forty (40) fifty five (55) gallon containers or their equivalent of oily debris and other non-hazardous wastes.

The building would be used for the treatment and segregation of non-hazardous wastes where material requiring treatment prior to disposal would be mixed with a drying or bulking agent such as kiln dust, saw dust or wood chips making it more amendable to disposal at certain facilities such as waste to energy facilities, aggregate plants and special waste landfills. ENPRO would be conducting the same treatment operations it is licensed to perform on oily debris and special waste in roll-off containers stored outside the facility. Drying agents are mixed with the debris utilizing a backhoe bucket in outside roll- off containers if needed. Treating this material in an enclosed facility will enable ENPRO to better segregate and treat these wastes for proper disposal and add another layer of protection to public health safety and the environment by conducting the treatment in a more controlled environment.

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B. ENPRO is requesting that the ten day transfer areas located inside the facility be permitted to handle all hazardous wastes identified in 06-096 CMR 850, Section B through C of the Department's Hazardous Management Rules. ENPRO is already permitted for this same list of wastes under their existing transfer facility license #O-00017-HR-K-N utilizing lined box trailers for temporary storage. A list of the hazardous wastes proposed for ten day storage inside the facility and a guide used by ENPRO personnel for compatibility assurance are found in Attachment E. The reason for this request is that many of the hazardous wastes collected by ENPRO are small quantities consolidated in lab packs. A lab pack is a container filled with vermiculite or other sorbent and stabilizing material. A lab pack is used to store and ship smaller sized containers of hazardous waste typically generated at laboratories and research facilities.

C. ENPRO is proposing a change in its operation to be allowed to pump flammable fuels from containers in storage cell D to the hazardous waste storage tank T-4 in order to minimize the movement of containers within the facility. ENPRO states that this would lower the risk of physical injury to personnel and the risk of spills due to less handling of the containers. The transfers would be performed using a portable explosion proof pump and compatible hoses.

4. STATUTORY CRITERIA

A. Title 38 MRSA, Section 1319-R (1.) A states that the department shall issue a license for a hazardous waste facility whenever the department finds that the facility will not pollute any waters of the state, contaminate the ambient air, constitute a hazard to health or welfare or create a nuisance. The Department must also find that:

(1) The applicant has presented evidence of sufficient financial capacity, including projections of utilization of the facility by hazardous waste generators, to justify granting the license, and

(2) Issuing the license is consistent with the applicable standards, requirements and procedures of the statutory requirements.

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B. Title 38 MRSA, Section 1319-R(2.) states in relevant part that the department shall incorporate applicable local requirements to the fullest extent practicable that are not more stringent than or duplicative of the hazardous waste provisions contained in Maine statute or rules and orders promulgated by the board or commissioner.

C. Title 38 MRSA, Section 1319-R (4.) states a municipality, by ordinance, may levy a fee on a commercial hazardous waste facility located in the municipality. These fees must be applied as a percentage of the annual billings of the facility to its customers. No fee so levied may exceed 2% of the annual billings. The municipality may audit the accounts of a facility to determine the amount of the fee owed to the municipality. Payment of the fee to the municipality is a condition of any license approval.

D. Title 38 MRSA, Section 1319-R (5) states that except for substantial expansion, this section does not apply to any facility granted an interim or final license prior to September 18, 1981. The facility was not granted an interim or final license prior to September 18, 1981. The proposal does not however include a substantial expansion, therefore, Section 1319-R.5 does not apply to this application.

E. Title 38 MRSA Section 1319-R(6) states that when the board determines that a facility under the jurisdiction of 1319-R does not have and will not be issued a license pursuant to this subchapter, the board may issue a license containing terms and conditions governing the post-closure requirements applicable to the facility, including but not limited to, environmental monitoring and corrective action. ENPRO is requesting a renewal of the hazardous waste and waste oil licenses at this facility. This license will address environmental monitoring and corrective actions. It is not therefore necessary to issue a post closure license at this time.

F. Title 38 MRSA section 1319-R(7) states that in addition to other criteria established by law or rule for facilities in Maine law, the following criteria for facility development apply to an application for treatment, storage and disposal facilities for hazardous waste.

(1) The applicant has the financial capacity and technical ability to develop the project in a manner consistent with state environmental standards.

ENPRO has demonstrated the financial capacity and technical ability to operate the facility in a manner consistent with State environmental standards. This demonstration is supported by the successful operation of the facility by ENPRO since 2001. ENPRO has submitted independently audited consolidated balance sheets of ENPRO and subsidiaries for years ending 2007 and 2008 indicating that ENPRO and subsidiaries had total current assets of $4,438,280.00. ENPRO also maintains a $150,000.00 revolving line of credit.

(2) The applicant has provided adequately for fitting the project harmoniously into the existing natural environment and has ensured that the project will not adversely affect existing uses, scenic character, air quality, water quality or other natural resources in the municipality or in neighboring municipalities.

The site was originally constructed for the storage and treatment for waste oil in 1982 by Jet-Line Services Incorporated. The location is zoned for industrial uses by the City of South Portland, Maine and various industrial uses occur near the facility such as commercial solid waste hauler, marine oil terminals and automotive repair facilities. Hence, the facility is harmonious with the surrounding environment. Adverse impacts to air quality, water quality, or other natural resources will not occur as a result of facility operation. This is supported by the comprehensive operation, design, and contingency plans discussed within the application and this license order.

(3) The proposed project does not pose an unreasonable risk that a discharge to a significant groundwater aquifer will occur.

The design of the facility includes an inspection plan, preparedness and prevention plan, and groundwater-monitoring plan to prevent releases from the facility. The facility is not located, over a groundwater aquifer or recharge area and is not located within a 100-year flood plain or within 100 feet of a flood plain of greater magnitude.

(4) The project will be built on soil types suitable to the nature of the undertaking and will not cause unreasonable erosion of soil or sediment.

The facility is built on soil types suitable to the nature of the undertaking. The soils beneath the facility consist of native material, fill and sand which have successfully supported the facility since its construction in 1982.

(5) The applicant will provide adequately for traffic movement of all types into, out of or within the project area. The Department of Environmental Protection shall consider traffic movement both on site and off site including public safety and congestion along waste conveyance transportation routes. The Department of Transportation shall provide the department with an analysis of traffic movement of all types into, out of or within the project area.

The traffic associated with the facility is not expected to exceed 22 vehicles per day and of that, only 6-10 will involve shipments of waste. Adequate traffic movement has been provided for by ENPRO. ENPRO has multiple entrances to the facility and its vehicle movement is scheduled to ensure traffic congestion does not occur. The Department of Transportation performed an analysis of traffic movement in 1990, at the time a license was first granted for the facility. No significant changes in traffic movement or restrictions to the movement of traffic have occurred.

(6) The applicant has provided adequately for utilities including water supplies, sewerage facilities, solid waste disposal and roadways required for the project and has ensured that the project will not have an unreasonable adverse effect on the existing or proposed utilities and roadways in the municipality or area served by those services.

Water supplies, sewerage facilities, solid waste disposal arrangements and roadways are in place and sufficient for continued operation of the facility. The applicant has ensured that operation of the facility as proposed will not have an unreasonable adverse effect on municipal utilities.

(7) The project will not unreasonably cause, or increase the flooding of the alteration area or adjacent properties nor create an unreasonable flood hazard to a structure.

The alteration proposed has been designed such that it will not unreasonably cause or increase the flooding of the altered area or adjacent properties nor create an unreasonable flood hazard to a structure.

G. Title 38 MRSA, section 1319-R(8) states that the department may not issue a license for a hazardous waste disposal facility or any commercial hazardous waste facility if the proposed facility overlies a significant groundwater aquifer or a primary sand and gravel recharge area.

The facility does not overlie a significant groundwater aquifer or primary sand and gravel recharge area.

H. Title 38 MRSA subsection 1319-X states that the following criteria for facility development apply to an application for a waste oil storage facility in addition to other criteria established by law or rule for those facilities:

(1) **Financial capacity**. The applicant must have the financial capacity and technical ability to develop the project in a manner consistent with state environmental standards.

(2) **No adverse effect on the natural environment**. The applicant must provide for adequately fitting the project harmoniously into the existing natural environment and the project must not adversely affect existing uses, scenic character, air quality, water quality or other natural resources in the municipality or in neighboring municipalities.

(3) **Ground water.** The proposed project must not pose an unreasonable risk that a discharge to a significant ground water aquifer will occur.

(4) **Soil types and erosion.** The project must be built on soil types suitable to the nature of the undertaking and must not cause unreasonable erosion of soil or sediment.

(5) **Traffic movement.** The applicant must provide adequately for traffic movement of all types into, out of or within the project area. The department shall consider traffic movement both on site and off site, including safety and congestion along waste conveyance transportation routes. The Department of Transportation shall provide the department

with an analysis of traffic movement of all types into, out of or within the project area.

(6) **Infrastructure.** The applicant must provide adequately for utilities including water supplies, sewerage facilities, solid waste disposal and roadways required for the project and the project must not have an unreasonable adverse effect on the existing or proposed utilities and roadways in the municipality or area served by those services.

(7) **Flooding**. The project must not unreasonably cause or increase the flooding of the alteration area or adjacent properties nor create an unreasonable flood hazard to a structure.

The department may not issue a license for a waste oil storage facility if the proposed facility overlies a significant ground water aquifer or primary sand and gravel recharge area.

ENPRO has demonstrated compliance with the applicable requirements of 38 MRSA, subsection 1319-R and 1319-X.

5. REGULATORY CRITERIA

The Department finds that according to Maine's Hazardous Waste Management Rules 06-096 CMR 854, and Waste Oil Management Rules 06-096 CMR 860 (hereinafter the "Rules") to issue a license for the storage and treatment of hazardous waste and waste oil an applicant must demonstrate that the facility would meet the standards of the Maine Hazardous Waste Management Rules and the Waste Oil Management Rules. These rules include the need to demonstrate that:

A. The facility is not located on land defined as a wet land under statutes or regulations administered by the State of Maine; or located within a 100 year flood plain so designated by the Federal Insurance Agency or within the level of any documented flood of greater magnitude; or overlying any portion of a surface or subsurface sand and gravel aquifer or a high yield bedrock aquifer; or within the boundaries of a state or federal park or designated wilderness area.

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B. No hazardous waste or derivative thereof shall escape from the facility to the ground or surface water or adjacent soil throughout the lifetime of the facility. No hazardous waste or constituent shall appear in the atmosphere above background or ambient air quality standards.

C. A container storage facility must have a base which is a firm working surface, such as asphalt or concrete which is impervious and must remain entire. A natural clay liner meeting the standards of 06-096 CMR 854, section 8B(2) or a synthetic liner that meets the requirements of 06-096 CMR 854, section 8(4), (5), (6) and (7) must underlie the working surface.

D. A tank must be designed and installed so that it can be fully inspected for structural integrity, deterioration, and leaks except that tanks that can not be fully inspected must be designed and installed to meet the standards for a double-walled tanks.

E. Tanks must be equipped with a level sensing device and a high level alarm that is both audible and visual to the person filling the tank.

F. Pipelines used to transfer hazardous waste must be either pressure tested annually or at least annually by a method approved by the Board or the Department.

G. Hazardous waste or waste oil must be stored in compatible containers that are not rusting, bulging or leaking. Containers must be stored in such a manner that allows access for inspections and remedial activities if needed.

H. The operator of a hazardous waste or waste oil facility must establish an inspection and maintenance plan for the facility that includes daily inspections of all working surfaces, containment and collection systems, pipes, pumps valves, tanks and ancillary equipment. Weekly inspections of all safety devices, overfill devices and fire extinguishing equipment are structurally sound and properly functioning.

6. The Department finds that in support of its renewal application ENPRO has submitted the following:

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A. Facility Operating Plan:

ENPRO operates the facility up to seven (7) days a week, twenty-four hours per day. Days and hours of operation may vary because of business demands. Normal receiving hours have been established as 7:00 am through 5:00 p.m. ENPRO internal operations preparing for loads, treatment operations and inspections are 6:00 am – 6:00pm. The facility schedules up to ten (10) shipments of waste oil and hazardous waste during regular working hours. The facility operating plan indicates that ENPRO is proposing to consolidate non-hazardous special wastes such as spent oily sorbent material, tank bottom sludge from oil tank cleanings, clothing and other non-hazardous wastes or special wastes at the proposed solid waste building. This would take place in concrete bins located inside the facility sealed with a Benjamin Moore industrial coating known as M-40 that is compatible with wastes to be treated. The waste would be mixed via a backhoe or mixing machine with kiln dust, saw dust, or other inert material to absorb any liquids solidifying the material. Once solidified the material would be loaded on to roll-offs, bulk trailers or other conveyance pending shipment off site to a properly permitted facility. These wastes would be screened for acceptance by ENPRO by reviewing Material Safety Data Sheets for unused commercial products, ENPRO waste profile forms, generator knowledge and analytical results if required.

Specification and off-specification waste oil arrives at ENPRO by bulk in either tank or vacuum trucks or in DOT-approved drums and containers. Waste oil transporters will park in the loading/unloading area for off-loading to tanks T-1, T-2, and T-3. ENPRO also has the capability of storing waste oil containers in the drum storage area pending transfer to the waste oil storage tanks. Once in storage, ENPRO either has the waste oil collected by a licensed waste oil transporter for treatment at a properly licensed facility or treats the waste oil on site through a heating and chemical process making it suitable for re-sale to an end user as a fuel supplement.

(1) Waste Oil Reclamation Process:

Upon verification of acceptability, the waste oil is pumped directly to tanks T-1, T-2, and/or T-3 for treatment. Shipments of water will be directed to the water treatment feed tank located inside the facility for treatment in the wastewater treatment unit prior to ultimate discharge in accordance with a pretreatment agreement to the South Portland City Sewer Treatment System.

ENPRO has the capability to use heat and chemical de-emulsifiers, pH adjusters and flocculates (chemical treatment) to enhance the gravitational separation of oil from water and solid components. Additive and separation rates will differ due to the variability of waste oil accepted at the facility. Tanks T-1, T-2, and T-3 are also capable of being heated to approximately 200 degrees F, which also enhances waste oil separation. ENPRO presently uses heat and gravitational separation to treat waste oil and does not use a chemical process.

(2) Waste Gasoline Process (hazardous waste)

Waste gasoline (aviation gas, jet fuel, and other motor fuels having a flash point below 100°F) is off-loaded at the loading/unloading area from tank or vacuum trucks, or in containers. These waste fuels may also be considered a hazardous waste due to contaminant concentrations of benzene D018 and lead D008 particularly found in old gasoline. Once accepted by the facility the waste gasoline/motor fuel is transferred via flexible hoses to tank number 4 (T-4). This is a six thousand (6,000) gallon capacity double walled tank known as "Lube Cube" specifically designed for the above ground storage of waste flammable liquids. Waste gasoline is stored in T-4 prior to being shipped off-site via a licensed hazardous waste transporter for recycling or disposal at a properly licensed facility. All shipments of waste gasoline are received and shipped on a hazardous waste manifest. Containers of waste gasoline may be stored in cell D located inside the facility pending transfer of the containers contents to the hazardous waste storage tank. The transfer would take place using a portable transfer and explosion proof pump. Cell D is utilized as an additional hazardous waste storage area for waste gasoline in the event that tank # 4 is full and for the storage of gasoline contaminated media pending analysis for proper disposal.

(3) Waste Water Treatment

Wastewater treated at the facility includes industrial wastewaters and wastewater generated from the treatment of waste gasoline and waste oil. The wastewater is pumped to the above ground wastewater storage tanks located inside the ENPRO facility. Wastewater is pumped from the storage tanks into ENPRO's wastewater treatment system. The waste water is put through a five – micron bag filter to remove particulate waste. The waste water is then processed through an oil/water separation unit. Metals are precipitated out of solution by the addition of lime, then ferric sulfate. The final stage of treatment is an ultra filtration carbon

absorption process. The water is sent through granulated activated carbon and then through 0.001 – micron filters. The treated solution is discharged to the City of South Portland sewer system. The discharge is subject to the requirements of the waste water discharge permit # 005 issued by The City of South Portland on April 23, 2010. The system is allowed to discharge up to 20,000 gallons per day. Air vents from the process are piped into a limestone based scrubber along with a carbon unit before being discharged to the ambient air. According to ENPRO there are no air bureau permits necessary for the air discharge.

Sludge generated from the settling of materials throughout the wastewater treatment process is dewatered in a recessed plate filter press. From the filter press, the dewatered sludge is placed in 30 yard roll-off containers prior to being transported off site and disposed of at a properly licensed facility as a special waste.

(4) Drum Storage Area

ENPRO stores 55-gallon drums (or equivalent DOT containers) of hazardous waste in the existing waste oil drum storage area in a manner not to exceed the hazardous waste storage capacity (8,860 gallons for up to 180 days) requirements of this license. The existing area is permitted to store up to 112, fifty-five (55) gallon drums (or the equivalent capacity of containers) of hazardous waste and or waste oil. This is a 30 foot by 48 foot open warehouse style area constructed with a concrete floor, 12 foot high containment walls and 12 inch rollover berms to provide secondary containment equal to 20% of the combined container capacity and 110% of the largest container stored in this area. Depending on the quantity of waste oil drums and hazardous waste stored at any given time, ENPRO's tracking system will ensure that the quantity of hazardous waste containers stored in the container storage area will not cause the facility to exceed its hazardous waste storage capacity limits of 8,860 gallons. The tracking system will also help ENPRO stay in compliance with the 180 day maximum storage time allowed. Hazardous waste containers are tracked separately on incoming and outgoing waste tracking logs, and stored in a separate area, cordoned-off from the waste oil and nonhazardous waste containers. This area is equipped with a remote feed (foam) fire suppression system and manually operated pull boxes for fire emergencies. ENPRO has coated the entire area with a Benjamin Moore & Co. industrial coating that is compatible with the wastes to be stored in this area. The

coating known as M-40 has been tested and found to be compatible with wastes to be stored in this area.

ENPRO has approval under its existing license to consolidate hazardous waste sludge, sand blast material and sediment (primarily generated from manhole clean outs) as part of its operation. Under this approval ENPRO is allowed to empty the containers of metals-bearing hazardous waste into a 30 cubic yard roll-off container that will be staged on the loading/unloading pad. The roll-off container would remain covered at all times by a tarp except for when waste is being added to prevent the collection of any precipitation and to meet the rules as they apply to containers. Once the consolidation of the hazardous waste is completed, the roll-off would be stored on the pad pending transport off-site for proper disposal. The loading/unloading area is constructed to meet hazardous waste storage area standards. The loading/unloading area is sloped toward a collection sump and has containment berms on three sides. The fourth side abuts the building. The hazardous waste being consolidated in the roll off does not contain flowable or liquid hazardous waste. In the event of a spill in this area, hazardous waste would be contained on site as a result of the design.

(5) Ten day hazardous waste transfer areas

ENPRO accepts containers of hazardous waste and laboratory packs "lab-packs" from properly licensed hazardous waste transporters and as part of it operations for storage up to ten (10) days in designated areas of the facility. These areas are used in general to store smaller loads of hazardous wastes until an economical shipment can be put together for transport off site or as a holding area pending analysis for proper disposal. The incoming waste containers are inspected to ensure they meet Federal Department of Transportation regulations 40 CFR 173, 178 and 179 and are properly labeled in accordance with 06-096 CMR 851, Section 8 A (2) through (5). The facility manager or designated personnel inspects the containers, reviews manifests Waste Information Profile Forms and other shipping documents to ensure the quantity and size of the containers and description of the wastes match the waste being off loaded. ENPRO personnel also ensure that containers are properly labeled. Any discrepancies identified in the shipments are resolved with the transporter or generator prior to acceptance by ENPRO. If discrepancies can not be resolved, the shipment will be rejected and returned to the generator or an alternate facility identified by the generator.

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FACILITY & WASTE OIL STORAGE &	)	
COMMERICAL HAZARDOUS WASTE	)	
STORAGE AND TREATMENT	)	
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Once accepted by ENPRO, the date of the shipment arrival is cross referenced to the shipment manifest numbers and placed in a log maintained at the South Portland office. Within (10) days of acceptance by ENPRO, the waste is transported off site via a licensed transporter to a properly licensed facility for further treatment or disposal.

ENPRO ensures that incompatible wastes are not stored together in the transfer areas by reviewing the manifest descriptions, shipping name, DOT hazard class and waste codes. ENPRO also provides a guidance chart for compatibility assessment located near the transfer areas as a reference for employees working in these areas. Hazardous waste containers being temporarily stored in the transfer areas will remained closed pending shipment off site within (10) days of acceptance.

7. OPERATIONAL CHANGES proposed in ENPRO's renewal license

A. ENPRO is proposing in its renewal license to construct a 70 foot by 80 foot by 45 foot high non-hazardous waste processing building. The building would be used to treat oily debris from ENPRO tank cleaning and response operations and other non-hazardous regulated solids and semi-solids. ENPRO would ensure the wastes are acceptable through review of Material Safety Data Sheets, waste profile forms, and analytical data as needed. Once the waste is accepted by ENPRO it would be treated inside concrete sealed bins (sealed with Benjamin Moore P- 40 industrial sealant) located inside the building. The treatment consists of combining the waste with drying agents such as sand, cement dust, saw dust to solidify the waste for disposal at a properly permitted facility. The treatment process would consist of mixing the drying or stabilizing agents with a backhoe in the cement bin. Once stabilized the dry waste would be loaded into roll-off containers or bulk trailers for shipment off site to properly permitted facilities (see Attachment B showing side view of design).

B. ENPRO is proposing to empty gasoline containers stored in cell D via portable hose and pump it into the hazardous waste storage tank as needed. This storage cell is permitted under ENPRO's existing license for the storage of flammable motor fuels for up to 180 days in the event of an emergency such as spill clean up or scheduling problems with off site shipments from the hazardous waste storage tanks.

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C. ENPRO is requesting that both their ten (10) day hazardous waste transfer areas be authorized to store wastes identified in 06-096 CMR 850, Section 3B through C of the Department's Rules (see attachment E). The request is being made because many of these wastes can show up in small quantities inside lab packs.

8. FACILITY INSPECTION PLAN:

ENPRO's inspection plan covers all areas of the facility and provides for daily, weekly, monthly and annual inspections. All areas subject to spills are inspected on a daily basis for signs of spillage or leaks. These areas include the truck loading/unloading area, transfer areas, tank farm area, container storage area, roll-off and box trailer area and associated parking and travel areas at the facility. The results of all inspections are entered into a facility inspection log that includes the name of the inspector, the date and time of inspection, and description of items being inspected. This also includes a comment section for observations made and for indicating whether or not corrective actions are required. If corrective actions are required, the inspection log will include a narrative of the repair and the date of initiation and completion of any needed repairs.

(a) Daily Inspection:

ENPRO conducts an overall daily inspection of the entire storage and treatment area. This includes visual inspections for signs of leaks or deterioration in the tanks, ancillary equipment, and the secondary containment structure. Daily inspections are also conducted on all high level alarms and automatic shut-off devices for the waste oil storage tanks and the waste gasoline (hazardous waste) storage tank.

(b) Monthly Inspection:

ENPRO conducts monthly inspections on all emergency equipment to ensure it is in proper working order. This includes the inspection of portable fire extinguishers for proper location, visibility, tampering and operation. The automatic fire suppression system is checked for proper pressure, and function. ENPRO conducts a monthly inspection on all emergency response equipment, sorbents, booms, personal protective equipment (PPE) and decontamination

equipment. Emergency response equipment and PPE is also inspected prior to each use.

(c) Annual Inspections:

Every twelve months (annually), tanks T-1, T-2, T-3 associated equipment, and piping will be inspected in accordance with applicable American Petroleum Institute (API) standards and certified by a certified API inspector. Tanks will be inspected using ultrasonic wall thickness measurement equipment and by visual inspections for pitting, corrosion and erosion. Particular attention is given to weld seams, the tank bottoms and around inlet piping. All inspections will be entered into the facility inspection log. Annual inspections for T-4 consist of having the interstitial leak detection system certified annually. Due to T-4's fire resistant design, ultrasonic testing of the tank walls is not effective. T-4 is inspected daily for possible leaks and the interstitial space is continually monitored such that a leak from the primary containment would be detected before impacting the outside environment.

ENPRO inspects its portable fire extinguishers annually in accordance with the Occupational Safety and Health Administration (OSHA) Standard 29 CFR 157. (e)(3) and the National Fire Protection Association (NFPA) Standard 10, Section 4-4.

9. FACILITY SECURITY:

ENPRO maintains a chain link security fence around the perimeter of the tank storage and loading/unloading areas. The eight foot (8') high fence incorporates sliding gates to control access at vehicle entrance locations. The gates are locked via pad locks unless ENPRO personnel are working in the area. The six foot (6') portion of the fence is on top of the concrete dike walls of the tank farm area creating an approximate ten foot (10') high security barrier for the tank farm. The office and operations building are locked via key locks and dead bolt locks at all entrances at the close of business each day.

The facility is further protected by a contracted security business. If an unauthorized entry were to occur after hours, an alarm would be activated at the facility and local police would be notified immediately via the security contractor. This system also automatically monitors the fire suppression system alarms on a 24-hour basis.

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ENPRO maintains signs that state: "Danger: Unauthorized Personnel Keep Out" at each entrance to the facility and ensures that all personnel are trained in the Facility Security Plan.

10. FACILITY TRAINING PLAN:

ENPRO's training program provides all facility personnel with on-the-job and classroom training to ensure that the facility properly accepts, stores and treats hazardous and non-hazardous waste received at the facility. The Compliance Officer has overall responsibility for ensuring that all facility personnel are properly trained for the job assigned.

ENPRO requires new employees, and those reassigned to new positions, to be trained within six months of hire or reassignment. Initial training is generally accomplished within two months of hire or reassignment. According to the training plan, no new or reassigned employees may work in an unsupervised position until they have completed the required training requirements.

ENPRO trains all personnel in the daily operation of the facility such as:

- Familiarity with the site plan, location of storage and treatment areas and activities occurring in each area;
- Operation and maintenance of waste handling/processing equipment;
- Standard operating procedures;
- Operation of safety and first aid equipment;
- Familiarity with the facility contingency plan;
- Operation of emergency equipment shut down procedures and evacuation routes and assembly points.

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ENPRO's training program provides specific modules that are required of all personnel involved in day-to-day operations at the site. The training modules are:

A. Waste Identification
B. Acceptance of Hazardous Waste
C. Waste Handling
D. Emergency Procedures
E. Emergency Equipment
F. Emergency Coordinator Duties
G. Record Keeping
H. Inspection Requirements
I. Closure Plan
J. Security

ENPRO requires personnel to attend annual refresher training on the training modules along with any modification needed due to changes in operations at the facility. ENPRO will maintain documentation of personnel training until final closure of the facility occurs or as required by the rules.

11. FACILITY CONTINGENCY PLAN:

ENPRO's contingency plan outlines emergency procedures to be taken by facility personnel in the event of incidents such as fire, explosion, and accidental discharges. The plan contains a list of phone numbers of personnel and response agencies to be notified in the event of an emergency. Copies of this plan are submitted to the local police department, fire department, hospital, and the City of South Portland along with local and state response agencies. ENPRO provided updated agreements to the Department after its facility inspection in September 2008, as required under Chapter 851, Section 8 B(5) of the Department's Rules. ENPRO updates these mutual aide agreements on an annual basis.

12. FACILITY FINANCIAL INFORMATION:

ENPRO maintains a $ 162, 203.00 letter of credit with TD Bank payable to a standby trust in favor of the Department that guarantees funding for closure of the facility as required under 06-096 CMR 854, Section 6C(16)(g). ENPRO submitted audited

consolidated balance sheets for 2007 and 2008 indicating that ENPRO has total assets of $ 907, 708.00 and a revolving line of credit for 150,000.00 that can be used by ENPRO.

13. INSURANCE INFORMATION:

ENPRO has submitted a hazardous waste liability Endorsement by American International Specialty Lines Insurance Company for sudden and non sudden accidental occurrences. The limits of liability are three million ($3,000,000) dollars for each loss and six million ($6,000,000) dollars total of all losses, exclusive of legal defense costs.

ENPRO's liability insurance is a per occurrence policy and meets the requirements found in Chapter 854, Section 6C (16) (k) and (l) of the Department's Hazardous Waste Management Rules.

14. WASTE ANALYSIS PLAN:

ENPRO is a licensed commercial hazardous waste/waste oil storage and treatment facility. Wastes to be accepted by ENPRO include waste oil, motor fuels that are hazardous due to ignitability (i.e., gasoline, jet fuel, and diesel), nonhazardous oily sludge, oily debris and other nonhazardous waste. In addition to the wastes listed above, ENPRO accepts lab packs, corrosive wastes, ignitable wastes and F001-F006 listed wastes for temporary storage in the ten (10) day transfer area. These wastes are shipped to ENPRO by generators via properly licensed transporters utilizing a hazardous waste manifest or may be accepted at the facility as a household hazardous waste from Maine residents.

ENPRO's waste analysis plan is organized by the type of wastes handled.

(i) Waste Oil

ENPRO accepts waste oil for treatment and/or storage at its facility from the New England area. Waste oil accepted at this facility is generated through tank cleanings, petroleum spills to land and water, automotive maintenance and manufacturing sectors (lube oils) and from Do-It-Yourself Oil changers. Waste oil accepted from out of state is analyzed for the parameters found in 06-096 CMR 860, Section 4 B & C of the rules. The analytical results are recorded on a hazardous waste manifest that accompanies all imported shipments of waste oil.

Waste oil from a virgin source (i.e., product tank cleaning, virgin oil spill) is shipped to the facility with a Material Origin Statement (MOS) (see attachment C) or a Waste Profile Form (WPF) (see attachment D). In addition to the waste documentation listed above, ENPRO conducts pre-screening tests on incoming waste oil as listed below in table I.

Table I

Constituent/Property	Test Method
Flashpoint	Aston D93 "Flash Point by Pensky-Martens Closed Tester"
Total Halogens	Dexil Chlor-D-TecT Test Kit; EPA SW 846 Method 9077; ASTM Method D5384-95
PCB's	Dexil Chlor-N-Oil R50 Test Kit; EPA SW 846 Method 9079

Other analysis is used to determine % water, % oil, color, and % solids.

If there are any irregularities in the pre-screening results, a duplicate sample is taken and the pre-screening process is repeated. If the second pre-screening result still indicates irregularities, ENPRO will analyze the waste oil for Appendix VIII constituents utilizing approved EPA test methods found in Chapter 850, Appendix I through III of the Department's Hazardous Waste Management Rules, or other Department approved test methods. Waste oil received from out of state generators must be accompanied with a hazardous waste manifest containing analytical results set forth in 06-096 CMR 860, Section 4B&C of the rules.

(ii) Waste Gasoline

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ENPRO is permitted for the storage of waste gasoline, which is a hazardous waste due to its ignitability. The term "waste gasoline" is used to include petroleum based motor fuels with a flash point below 100° Fahrenheit. The waste gasoline is transported to the facility accompanied by a hazardous waste manifest from the generator. Other documentation such as a Waste Profile Form (WPF) or Material Origin Statement (MOS) may accompany the shipment in addition to the hazardous waste manifest. Waste gasoline is subject to the same pre-screening procedures identified in Table I above prior to acceptance at ENPRO. If pre-screening discrepancies indicate further analysis is needed, ENPRO will analyze the waste gasoline using the appropriate, approved EPA sampling and test methods found in Chapter 850, Appendix I though III.

(iii) Hazardous Waste

Metal bearing waste will be accepted at ENPRO for storage and treatment (consolidation). This waste consists mainly of filter media, absorbents, sandblast grit and soils/sediments generated through clean up and maintenance operations and lesser amounts from the metal plating and manufacturing industry. These wastes are subject to laboratory analysis to determine if they are hazardous due to the hazardous waste characteristic of toxicity. ENPRO is seeking approval to accept metal bearing wastes containing Arsenic (D004); Barium (D005); Cadmium (D006); Chromium (D007); Lead (D008); Selenium (D010) and Silver (D001). ENPRO stated in its application that it does not propose to store Mercury (D009) or explosive waste as identified in Chapter 850, section 3B (4)(a)(vi)-(viii) of the Department's rules at this facility. However small quantities of these materials may be received as part of lab packs which are limited to ten day storage in the transfer area. These hazardous wastes would be accompanied by a hazardous waste manifest from the generator.

Prior to acceptance of this waste stream, ENPRO conducts pre-screening that includes a visual inspection of the container contents to ensure the waste material matches the Waste Profile Form (WPF), hazardous waste manifest and/or analytical report. Any discrepancies identified during pre-screening require the Facility Manager to contact the generator to resolve any issues. This can be as simple as correcting the volume or solids content or requiring additional sampling and testing for contaminants of concern. If the discrepancies cannot be resolved or analytical results determine the waste cannot be accepted by ENPRO, the

hazardous waste shipment is rejected and returned to the generator or shipped to an alternative facility indentified by the generator with the appropriate paper work.

(iv) Non Hazardous Waste

ENPRO accepts non hazardous waste for treatment and storage. Nonhazardous wastes include industrial wastewater, sludge and oil debris generated from tank cleanings, oil spills and other nonhazardous waste. ENPRO requires the generators to supply Waste Profile Forms (WPF), Material of Origin Statements and may also require analytical testing to ensure the waste can be accepted. The WPF requires the generator to determine the regulatory status of the waste being proposed for shipment to ENPRO either through process knowledge or analytical testing. ENPRO requires analytical testing for contaminants of concern if any waste has been generated through mixing with other wastes or any changes in the generators process. The analytical testing ensures the material can be handled as a nonhazardous waste and can be accepted by the facility.

(v) Generators proposing to send waste oil or hazardous waste to ENPRO must utilize the following documents:

(a) Material Origin Statement

This document must be provided for liquids or solid debris contaminated with virgin fuel oil. ENPRO personnel review this document prior to accepting the waste at the facility. This document contains a pre-approval number from ENPRO, generator name, source of waste generation, estimated volume, site location and certification from the generator or authorized agent. This form is only used for material contaminated with virgin fuel. Waste oil that is proposed for delivery to ENPRO that is the result of a commercial process or cross contaminated with other wastes must be accompanied by analytical data or a completed Waste Profile Form (WPF). This information shall be submitted to ENPRO prior to acceptance to ensure it meets the facility acceptance criteria.

(b) Waste Profile Form

Waste Profile Forms (WPF) are provided to ENPRO for review prior to a generator shipping a processed waste or other listed hazardous waste to ENPRO. This form indicates the generation process, regulatory status of the waste, constituents used and any potential concerns with the proper handling and storage of the waste. ENPRO reviews the WPF to determine if additional analytical data should be required prior to giving the generator a pre-approval number. ENPRO records the incoming review on each form. A new WPF is required by ENPRO any time the generator's process has changed or if analytical results indicate a change in a generator's waste constituents.

ENPRO requires a laboratory analysis on all unknown waste streams being proposed for delivery to the facility. These are waste streams for which the generator has not provided a material safety data sheet (MSDS), MOS, or WPF for prior review from ENPRO. All analytical data is reviewed to ensure that proper test methods were used for the contaminants of concern.

(vi) Out Going Shipments

(a) Ten day transfer area: ENPRO ships hazardous waste for final disposal from its ten (10) day hazardous waste transfer area in its original containers and with the original hazardous waste manifests. The hazardous waste is shipped off-site via a properly licensed hazardous waste transporter to a properly permitted facility within (10) days of being accepted at the facility. The shipping process includes moving hazardous waste containers from the transfer areas to "in transit" box trailers for transport off site within 24 hours of loading.

(b) Hazardous waste: Metal contaminated wastes received by ENPRO are either sent offsite for proper disposal at a licensed facility in the original container or ENPRO may consolidate the waste in bulk roll-off containers prior to shipping. This waste will be sampled and analyzed by ENPRO as requested by the receiving facility for acceptance. Once ENPRO obtains pre-acceptance from the off-site disposal facility, the hazardous waste is shipped with a hazardous waste manifest via a properly licensed hazardous waste transporter. This hazardous waste stream is sent to a properly licensed facility for disposal or recycling.

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(c) Waste gasoline: Waste gasoline is treated by ENPRO via gravitational separation (removal of the petroleum layer from the water layer). Waste gasoline is shipped off-site as a hazardous waste via a licensed hazardous waste transporter to a properly permitted facility for recycling and or proper disposal. Water recovered by the treatment process is pumped into a polyethylene holding tank within the facility prior to being treated through the waste water treatment system and discharged to the city sewer system.

(d) Nonhazardous: "Special waste" such as debris, soil, sludge and industrial/commercial nonhazardous waste are sent off site for disposal and/or recycling at properly licensed special waste facilities. These wastes are consolidated in roll-off containers on the paved area behind the building. ENPRO's renewal application proposes to move this operation into a new building constructed building.

(e) Waste Oil: ENPRO consolidates waste oil received at its facility at this time. ENPRO consolidates the collected waste oil for transfer to a properly licensed waste oil treatment facility for further processing and recycling. Prior to the waste oil being picked up by the licensed transporter, ENPRO analyzes the oil using the appropriate test methods found in Table 1 of this section. Further testing may be requested by the receiving facility prior to shipment. Once a batch is pre-approved for acceptance at the receiving facility, the waste oil is shipped off site using a properly licensed waste oil transporter.

If ENPRO proposes the sale of waste oil to an end user, ENPRO will be required to sample and analyze the waste oil for the parameters set forth in the Department's Waste Oil Management Rules Chapter 860, Sections 4B and 4C for determining specification and off specification waste oil. The following sampling and analytical methods, or other Department-approved methods, are required to ensure that any waste oil offered for re-sale meets the requirements of Section 4B and 4C mentioned above.

Sampling and Test Methods for Out Going Waste Oil for Resale

1. Sample Methods

- Standard Practice for Manual Sampling of Petroleum ASTM D4057
- Standard Practice for Automatic Sampling of Petroleum ASTM D4177

Preparation and Test Methods

2. Total Metals

- Preparation methods: Acid Digestion of Oils for Metals Analysis by Atomic Absorption, EPA SW 846 3031 or
- Inductively Coupled Plasma Spectrometry Microwave Assisted Acid Digestion of Sediments, Sludge, Soils and Oils, EPA SW 846 3051.
- Analytical Methods: Inductively Coupled Plasma-Atomic Emission Spectrometry, EPA SW 846 6010B or
- Atomic Absorption Methods, Furnace technique, EPA SW 846 7000.

3. Total Halogens

- Preparation method: Bomb Preparation Method for Solid Waste, EPA SW 846 5050, and
- Analytical Method: Chloride [titrimetric, silver nitrate], EPA SW 846 9253 or Determination of Inorganic Anions by Ion Chromatography, EPA SW 846 9056.

4. Flash Point

- Pensky-Martens Closed Cup Method for Determining Ignitability, EPA SW 846 1010.

5. Polychlorinated Byphenols (PCB's)

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- Method for the determination of PCB's in transformer fluid and waste oil, Thomas Bellar and James Lichtenberg, EPA Environmental Monitoring

J. FACILITY MONITORING PLAN:

ENPRO samples ground water for analysis from five (5)-monitoring wells at the facility on a quarterly basis. The wells are strategically located to collect up gradient and down gradient groundwater samples. Groundwater samples are analyzed for volatile organic compounds using EPA Test Method 8260 and for Diesel Range Organics (DRO), via ME DEP Method ME 4.1.25 and Total lead EPA Method 200.7/6010. ENPRO will be replacing ME DEP Method ME 4.1.25 with MA Method Total EPH.

During quarterly sampling events ENPRO conducts water level measurements on eight (8) monitoring-wells located on the site in order to obtain ground water flow data.

A summary of the last three years groundwater monitoring results for 2007 through 2009 can be found in exhibit one attached as part of this document. Quarterly monitoring has indicated petroleum constituents and volatile organics impacting the ground water in this area (see attachment A).

Although contaminants have been detected at this site the quarterly monitoring indicates that they are remaining within historical levels. The area is zoned for industrial use and is supplied with city water and sewer. Down gradient areas are operating marine oil terminals, auto repair facilities and other commercial and industrial users. During grading operations on the east side of the facility during 1992, the former operator, Jet Line Environmental Services discovered an abandoned under ground tank containing petroleum product and water. The tank was pumped out and removed from the site. Approximately 20 tons of contaminated soil was removed from the site as part of this removal operation. Residual contamination detected through the groundwater monitoring program is likely the result of the abandoned tank and the historical use of the site for used oil and gasoline storage prior to current licensing requirements. The waste oil tanks were originally set on a gravel pad within the containment dike. Obvious sources of current releases were not indentified in the facility assessment. It is possible that some residual source material exists under the facility structures.

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ENPRO conducts quarterly groundwater sampling events. The results of these events are reported to the Department within thirty (30) days of the groundwater sampling taking place. ENPRO also submits an annual ground water monitoring report to the Department by January 30th of each year. This is a comprehensive report that incorporates all aspects of the ENPRO ground water sampling program from chain of custody procedures to graphs demonstrating concentrations vs. time axis for ground water from each well showing contamination. If the Department determines that the ground water monitoring results warrant action, the Department has the authority to order ENPRO to conduct a corrective action investigation and remediation.

K. FACILITY CLOSURE PLAN:

ENPRO's plan provides for the removal of all waste oil, hazardous waste and waste residues and decontamination of all tanks, ancillary equipment and storage areas.

(1) Bulk Storage Tanks and Ancillary Equipment:

Tank interiors will be cleaned via manual scraping and high-pressure washing and certified as gas free.

(2) All pumps, piping and valves:

Ancillary equipment will be disconnected and dismantled for steam cleaning to ensure all hazardous waste and waste oil residues have been removed. Waste generated by the cleaning will be properly stored and disposed of at a licensed off site facility.

(3) Secondary containment and process & storage areas through out the facility:

Upon removal of all waste oil, hazardous waste containers and the cleaning of all process equipment, the floors and the containment walls will be decontaminated by steam cleaning. Wastewater generated by the cleaning process will be sampled for contaminants of concern and disposed of properly.

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(4) Clean Up Equipment:

Clean up equipment (i.e., personal protective equipment, sorbents, and rags) oil and hazardous waste contaminated debris will be containerized and shipped off-site for proper disposal.

(5) Roll-off storage area:

All roll-off containers will be removed for proper disposal and the storage pads cleaned as part of the closure process.

Upon completion of the decontamination process ENPRO and an independent State of Maine registered professional engineer will certify closure in conformance with the Department approved closure plan.

15.. CORRECTIVE ACTION

A. The corrective action provisions include requirements for the investigation and remediation of releases at a hazardous waste facility. This includes detecting, characterizing and responding to releases. The Department has adopted this requirement in Chapter 854, Section 6C (18). The investigation requirements include the identification of all solid waste management units (SWMUs) at the facility. A SWMU is defined as any unit, active or inactive, at a facility from which hazardous waste or hazardous constituents might migrate and that may result in harm to human health or the environment. Units are considered irrespective of whether the unit was intended for the management of the solid and/or hazardous waste.

B. ENPRO was the subject of a RCRA Facility Assessment (RFA) performed by a US EPA contractor assisting the Department. A report documents this assessment and includes the results of a file review of ENPRO and a site investigation. The RFA identified nine solid waste management units (SWMU's) and three areas of concern at ENPRO. These included tank and container storage areas, former underground tank locations and all areas where chemical products or waste material is stored and handled. The RFA found that the above mentioned areas did not exhibit signs of current discharges and that the ENPRO facility was well maintained, with good house keeping practices. The recommendations found in the RFA stated that no additional corrective action is required for the SWMU's or

AOC beyond what is currently required by the Department. This could however change with time since this is an active waste management facility where releases could occur. Likewise, if any of the facility buildings were to be demolished and additional source material were found, additional contaminant removal could be required.

C. ENPRO will continue to monitor its facility to determine if any releases are occurring from any SWMUs. If necessary, ENPRO will evaluate and propose corrective measures to remediate any releases detected during the course of further groundwater monitoring.

D. In accordance with 06-096 CMR 854, Section 12E (5) & (F) of the Rules, the Department must also determine if corrective action is necessary. This determination may be based, in part, upon information submitted by ENPRO that the Department has determined to be sufficient. The Department may also specify investigation or corrective actions or require ENPRO to submit a corrective action plan for Department approval. The Department will develop a schedule of compliance for any corrective action necessary and require financial assurance for corrective action.

E. The Department can require corrective action at a facility whenever releases to the environment are identified. In addition, in accordance with Title 38 M.R.S.A. 1319-V, the facility owner may be required to undertake corrective action beyond the site boundary to remove any danger to public health and the environment.

16. OTHER FINDINGS:

A. The Department finds that compliance with the regulatory criteria of 06-096 Chapter 854, Section 7 of the Hazardous Waste Management Rules and 06-096 Chapter 860, Section 10 of the Waste Oil Management Rules must be demonstrated for siting of a combined Hazardous Waste/Waste Oil Storage and Treatment facility. ENPRO has provided the following information in support of its renewal license.

1. The facility is not located on land defined as a wetland under the Department's statutes or regulations.

2 The facility is not located within 100-year flood plain or within 100 feet of a flood of greater magnitude.

3. ENPRO does not handle hazardous waste or waste oil in a surface impoundment, landfill, underground tank, or utilize land treatment techniques at the site.

4. The facility is not located within the boundaries of a state or federal park or designated wilderness area or other natural resources area.

5. The facility is not located in such an area where ENPRO is required to meet the rebuttable presumption found in Chapter 854, Section 7B or Chapter 860, Section 10 B (1) (a)-(f).

6. The facility is not located within 1,500 feet of any underground source of public drinking water or within 1,000 feet of any source of potable water for people or livestock. The facility and surrounding area is served by the Portland Water District.

B. As evidence of its title, right and interest in the property, ENPRO submitted a copy of a lease agreement with the property owner DACII, LLC. The term of the lease is for a period of twelve (12) years eleven (11) months and fifteen (15) days. The lease became effective on November 16, 2007 and expires on October 31, 2020.

C. ENPRO published public notice of its renewal application with the Department in the Portland Press Herald on November 28, 2008 and December 5, 2008. The public notice was also broadcast on radio station Frank FM from December 3, 2008 through December 10, 2008. ENPRO's abutting property owners were notified via certified mail delivered on December 3, 2008. No public comments on this application were received by the Department.

D. ENPRO's draft order was provisionally approved by the Board of Environmental Protection for public comment on August 5, 2010. Following this decision public notice was filed by the Department in accordance with Chapter 856, Section 12 B. This notice appeared in the Portland Press Herald on August 6, 2010. The public comment period was for forty five (45) days ending on September 20, 2010. One comment was received during this comment period from ENPRO on September

16, 2010. ENPRO requested in its comment that the application of sealant in the mixing bins be removed from the license. ENPRO believes that the sealant would require repeated repair due to the equipment (backhoe buckets) used to mix the debris and that the building will be underlain with a 40 mil liner with monitoring between the concrete and the liner for added ground water protection.

The Department has reviewed ENPRO's comment and determined that ENPRO should still apply a compatible sealant to the mixing bins as proposed in the renewal application. The Department has determined due to the porous nature of concrete a sealant would enhance the impermeability of the concrete mixing bins and provided some added protection to the facility.

Once operations begin if ENPRO determines that the sealant is impracticable due to repeated damage, ENPRO may approach the Department with an alternate method of protecting the concrete mixing bins.

E. ENPRO does not dispose of hazardous waste or waste oil on site.

F. ENPRO generally loads or unloads conveyances within a one (1) hour period of time. The hazardous waste, waste oil loading/unloading operation can accommodate up to two vehicles at time. ENPRO anticipates up to twenty-two (22) vehicles traveling to and from the site on a daily basis depending on business activity. Eight (8) vehicles would be personal vehicles of workers and up to fourteen (14) would be waste oil and hazardous waste conveyances. On an average day ENPRO handles approximately six (6) shipments of hazardous waste and waste oil at its facility. ENPRO schedules it's incoming and out going shipments to prevent congestion at the facility.

G. ENPRO has an Industrial User Wastewater Discharge Permit #005 issued by the City of South Portland Pollution Abatement Department for the discharge of up to twenty thousand (20,000) gallons a day of effluent from the treatment of oil contaminated wastewater, gasoline contaminated wastewater, industrial wastewater and leachate. ENPRO must achieve compliance with permit effluent conditions prior to any discharge. This permit expires on December 21, 2011.

H. ENPRO was issued license No. 13904 by the City of South Portland for the storage of waste flammable liquids. This license expires on April 1, 2011.

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I. ENPRO submitted a form, certified by the Department of the Secretary of State indicating ENPRO is a legally existing business corporation in good standing under the laws of the State of Maine.

J. On May 27, 2010 waste oil tanks 1, 2, and 3 were inspected by an aboveground storage tank inspector certified by the National Association of Corrosion Engineers (NACE) (License No. 4163). The tanks were inspected pursuant to American Petroleum Institute (API) 653 standards for "Repair, Alteration and Reconstruction of Aboveground Tanks". Piping associated with the waste oil tanks were also inspected at this time in accordance with American Petroleum Institute Standard 570 for In- Service Piping Systems. The inspection had the following conclusions:

- All waste oil piping was found to have sufficient thickness for continued service.
- Tank number 2 can return to service. However the existing internal liner should be replaced with a new liner material compatible with the storage of waste oil within the next (24) month period (Prior to May 28, 2012). The inspection identified areas of mechanical chipping with minimal corrosion and blistering of the liner.
- Tank number 1 will need to be drained and cleaned to facilitate an internal inspection during the 2011 annual inspection.
- Tank number 3, an insulated tank, was found to be in good condition for continued use.

K. ENPRO utilizes a horizontal "Lube Cube" tank (tank T-4) designed for the aboveground storage of flammable materials such as gasoline, jet fuel, aviation gasoline, and other flammable motor fuels. The tank is double walled and encased in a two- (2) hour fire resistant concrete vault, which is wrapped in steel. The tank is located on five (5) inch high skids enabling inspection on all sides. The Lube Cube is also equipped with a high level alarm to prevent overfilling and interstitial space monitoring for leak detection. The high level alarm and leak detection system activate visual and audible alarms. The interstitial space monitor was inspected by a State of Maine registered professional engineer on May 27, 2010 and was found to be in good operating condition.

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L. ENPRO had hazardous waste piping associated with the Lube Cube inspected on May 27, 2010. Inspections were inclusive up to the first pump discharge flange. The hazardous waste piping was inspected using American Petroleum Institute 570 standards "Inspection Repair, Alteration and Rerating of In Service Piping Systems". Based on the API 570 inspection, the piping can be utilized until the next inspection period during 2011. The Inspector was certified by a National Association of Corrosion Engineers (NACE) Corrosion Specialist (No. 4163) and the Maine Board of Professional Engineers (No. 9130).

M. ENPRO has filed notice with Cumberland County Registry of Deeds that the facility located at 106 Main Street in South Portland, is a hazardous waste treatment and storage facility.

N. ENPRO has provided as part of the renewal application a facility inspection performed on November 12, 2008 by a State of Maine Professional Engineer (No. 10136) of RANSOM Environmental Consultants Inc. The inspection report indicated the facility is well-maintained, clean and organized. The inspection also found good maintenance practices. There was no evidence of staining or other indications of spills or leakage of hazardous waste or waste oil.

O. As part of the renewal application ENPRO has submitted a revised closure cost estimate of $ 159,023 dollars. This is an increase of $ 11,738 dollars over ENPRO's initial cost estimate for closure. The increase in the closure cost estimate was attributed ENPRO not calculating the costs associated with the transport and disposal of drummed oil.

P. ENPRO is proposing to install two additional ground water monitoring wells. The wells will be installed down gradient of the solid material treatment building along with two monitoring wells inside the building between the concrete pad and the liner to inspect for possible liquid build up from ENPRO operations. These would be 2 inch wells that would allow for the use of vacuum trucks to collect any fluids, if necessary.

BASED on the above Findings of Fact and subject to the conditions listed below, the Board makes the following CONCLUSIONS:

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1. ENPRO's renewal application and supporting documents therein for a waste oil/hazardous waste storage and treatment facility are consistent with the requirements set forth in Chapter 860 of the Department's Waste Oil Management Rules and Chapter 851 through 857 of the Department's Hazardous Waste Management Rules.

2. An above ground inspection report dated May 28, 2010 recommended the following:
   - That ENPRO should reline tank number 2 by May 28, 2012; and
   - Tank number 1 should be drained and cleaned for an internal inspection during the next annual inspection in 2011.

3. ENPRO is proposing to construct a 70 feet by 80 feet by 45 feet high metal building with a lined reinforced concrete floor for the treatment and storage of non- hazardous waste.

   (a) The proposed building would contain concrete bins having a capacity of 95 cubic yards that would be used for treating the waste via mixing with a drying agent such as kiln dust, wood chips, and saw dust. The treated waste would then be sent for disposal off site to a permitted facility for recycling or disposal. ENPRO presently treats this material in roll off containers on the paved parking area.

   (b) ENPRO is proposing to install ground water monitoring wells outside the facility to determine any impacts from the operation. Monitoring wells would also be placed inside the facility to monitor for liquid on top of the proposed liner as a form of leak detection.

4. ENPRO is proposing to store gasoline contaminated residuals in containers pending analysis for proper disposal in cell D of the indoor hazardous waste transfer area. The residuals are contaminated sediment or debris left in the containers after liquids have been pumped from the containers in cell D to the hazardous waste storage tank via portable pump as needed.

5. ENPRO is requesting in the renewal application to modify the hazardous waste that can be accepted in its 10 day transfer areas to include all hazardous waste as identified in 06-096 CMR 850, Sections 3 B through C of the Department's rules. This list of wastes is presently approved under ENPRO's transfer facility license # O-000017-HR-K-N utilizing lined box trailers as a ten day transfer facility.

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6. ENPRO is approved to consolidate metal contaminated solids at the loading dock area. The loading dock is constructed and designed to meet hazardous waste storage facility standards.

7. ENPRO's existing facility has a total maximum storage capacity of sixty five thousand nine hundred and twenty (69,920) gallons. This consists of forty five thousand (45,000) gallons of waste oil in tanks and six thousand, one hundred and sixty (6,160) gallons of waste oil in the drum storage area of which one thousand, seven hundred and sixty gallons (1,760) gallons may be containers of hazardous and six thousand (6,000) gallons of waste gasoline (hazardous waste), and twelve thousand, seven hundred and sixty (12,760) gallons of hazardous waste in the ten (10) day hazardous waste transfer areas. ENPRO also has the approval to use cell D inside the facility for the 180 day storage of waste gasoline containers as needed.

8. The public notice requirements for this application have been met.

9. ENPRO has provided evidence of its technical ability to operate and maintain the facility.

10. ENPRO has provided Title, Right and Interest in the property with a lease agreement with property owner that expires on October 31, 2020.

11. ENPRO may be required to implement corrective action as deemed necessary by the Department of Environmental Protection.

12. ENPRO has demonstrated sufficient capacity to operate, maintain and properly close the facility in accordance with the requirements of statutes and rules of the Department. The Board recognizes however, that over time the financial capability of ENPRO may change. Therefore, ENPRO must demonstrate annually to the Department's satisfaction that it maintains financial capacity to properly operate and close the facility.

13. ENPRO's revised closure cost estimate is $159,023.00. ENPRO has provided financial assurance through an irrevocable standby letter of credit with TD Bank in the amount of $162,203 dollars dated February 15, 2010.

14. The facility is harmonious with its surrounding environment. Adverse impacts to air quality, water quality, or other natural resources will not occur as a result of facility operation. This is supported by the comprehensive operation, design, and contingency plans discussed within the application and this license order.

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15. ENPRO's existing ground water monitoring program has determined the ground water in the vicinity of the site is impacted by contaminants. However, additional adverse effects should not result, provided the facility is operated as proposed in the application and this Order. ENPRO's facility will not pose an adverse effect on surface water, air quality, existing uses or scenic character of the area provided that the facility is operated, maintained, and properly closed in a manner to assure protection of human health welfare and the environment. The facility will not pose an unreasonable risk that a discharge to a significant ground water aquifer will occur provided that:

    A. It is operated in accordance with Maine's Waste Oil Management and Hazardous Waste Management Rules, the application submitted by ENPRO, the wastewater discharge permit # 005 issued by the City of South Portland and the conditions of this Order.

    B. ENPRO follows applicable procedures, including but not limited to Quality Assurance /Quality Control (QA/QC) measures for alternate EPA analytical methods being proposed for waste oil.

16. ENPRO has met the statutory criteria of 38 M.R.S.A. Section 1319-R and 38 M.R.S.A. Section 1319-X that authorizes the Department to issue a combined waste oil/hazardous waste treatment and storage facility and hazardous waste transfer facility license. The Department also concludes that ENPRO has met the applicable requirements of Maine's Waste Oil Management Rules 06-096 CMR Chapter 860 and Maine's Hazardous Waste Management Rules 06-096 Chapter 850 through 857.

17. On September 16, 2010 during the 45 day comment period on the draft license ENPRO requested the proposed application of a sealant to the mixing bins in the proposed solid material building be removed. The Department has determined that the sealant should be applied to enhance the impermeability of the concrete bins. However if maintenance issues occur due to repeated scraping and chipping of the sealant, the Department has added a condition to this license that allows ENPRO to propose an alternative method of protection for the Department's review and approval.

THEREFORE, THE BOARD APPROVES the above noted renewal application of ENPRO SERVICES OF MAINE, INCORPORATED for a commercial waste oil/hazardous waste storage and treatment facility and hazardous waste transfer facility located at 106 Maine Street, South

ENPRO SERVICES OF MAINE INC. SOUTH PORTLAND CUMBERLAND COUNTY, MAINE HAZARDOUS WASTE TRANSFER FACILITY & WASTE OIL STORAGE & COMMERICAL HAZARDOUS WASTE STORAGE AND TREATMENT LICENSE # 0-000017-HR-M-R, LICENSE # O-000017-97-H-R & LICENSE # O-000017-H1-K-R	48	MAINE HAZARDOUS WASTE SEPTAGE & SOLID WASTE MANAGEMENT ACT FINAL RENEWAL LICENSE

Portland, Maine SUBJECT TO THE ATTACHED CONDITIONS and all applicable standards and regulations:

1. Standard Conditions of Approval (copies are attached as Appendix A and B).

2. The invalidity or unenforceability of any provision, or part thereof, of this License shall not affect the remainder of the provision or any other provisions. This License shall be construed and enforced in all respects as if such invalid or unenforceable provision or part thereof had been omitted.

3. This license expires on July 14, 2015

4. ENPRO shall have tank number 2 relined with a compatible material by May 28, 2012 and tank number 1 shall have an internal API 653 inspection no later than May 28, 2011. Documentation of successful relining of tank 2 and a passing internal inspection shall be filed with the Department by July 31, 2012 and July 31, 2011 repairs or problems to these tanks shall be included in this Department notification.

5. ENPRO must submit all ground water analytical results to the Department within thirty (30) days from receipt of validated laboratory data. All ground water analytical results shall be submitted to the Department in an electronic data deliverable (EDD) that contains laboratory and field data in a format approved by the DEP for up loading into the Department's Environmental and Ground Water Analysis Data base (EGAD) and must be submitted to the Department in conjunction with a written report. A complete ground water monitoring report shall be submitted by January 30 of each year that includes at a minimum:

   A. Complete ground water analytical results including results from blind or open duplicate samples.

   B. Field sampling, custody and laboratory data sheets for the most recent sampling round.

   C. Complete historical water level data with well construction data including top of riser, ground surface, screen top and bottom elevations;

   D. Potentiometric surface map(s) for the most recent sampling round;

E. Map(s) demonstrating the location of groundwater samples and concentrations detected for at least the latest round of samples;

F. Graphs demonstrating concentrations vs. time axis for ground water from each well showing continuous contaminant detection.

6. Transfer of ownership or operation of the facility shall only occur after approval by the Board and only in accordance with the Rules.

7. The licensee shall submit financial and insurance instruments and up dates by April 15 of each year following the signing date of this license.

8. The Department may require ENPRO to submit and implement a corrective action plan to abate any releases of contaminants to soil, air, surface water or ground water and to ensure that the facility is in compliance with Maine's performance standards. This plan must address the possible need for ground water, surface water or soil remediation including source removal, as well as the need for a post-closure plan upon closure. This plan will be prepared upon request of the Board or the Department by the date specified in that request.

9. All hazardous waste loading and unloading operations shall occur within the secondary containment structure of the loading area.

10. ENPRO shall identify and physically segregate non-hazardous wastes from hazardous wastes being stored in the drum storage area.

11. ENPRO shall analyze all outgoing shipments of waste oil intended for resale directly to an end user for parameters found in 06-096 CMR 860, Section 4 B & C of the Department's Rules. ENPRO shall use the methods and procedures outlined in section 15 (vi) (e) of this order for all out going shipments intended for resale.

12. ENPRO must not exceed the design capacity for the storage of containers as specified below:

(i) No more than eight, fifty-five (55) gallon containers or their equivalent capacity of DOT approved containers of corrosive or metals contaminated hazardous waste in cell A;

ENPRO SERVICES OF MAINE INC. SOUTH PORTLAND CUMBERLAND COUNTY, MAINE HAZARDOUS WASTE TRANSFER FACILITY & WASTE OIL STORAGE & COMMERICAL HAZARDOUS WASTE STORAGE AND TREATMENT LICENSE # 0-000017-HR-M-R, LICENSE # O-000017-97-H-R & LICENSE # O-000017-H1-K-R	)	MAINE HAZARDOUS WASTE SEPTAGE & SOLID WASTE MANAGEMENT ACT FINAL RENEWAL LICENSE

(ii) No more than eight, fifty-five (55) gallon containers or their equivalent capacity of DOT approved containers of corrosive or metals contaminated hazardous waste in cell B;

(iii) No more than fifteen, fifty-five (55) gallon containers or their equivalent capacity of DOT approved containers of ignitable hazardous waste in cell C;

(iv) No more than nine, fifty-five (55) gallon containers or their equivalent capacity of DOT approved containers of ignitable contaminated hazardous waste in cell D. Cell D may also be used as 180 day storage area as needed;

(v) No more than ninety six (96) fifty- five (55) gallon containers or equivalent capacity in each self contained conveyance used as a ten (10) day transfer unit.

(vi) No more than forty five thousand (45,000) gallons of waste oil in three fifteen thousand above ground storage tanks; and

(vii) No more than six thousand (6,000) gallons of waste flammable motor fuels in the above ground hazardous waste tank located at the facility.

(viii) No more than one hundred twelve (112), fifty-five (55) gallon containers or equivalent capacity of DOT approved containers in combination of waste oil and or metals contaminated with hazardous waste in the container storage area

See Figure 3 Facility plan for storage locations.

13. At no time through out the course of its operation shall ENPRO store free-flowing hazardous or non-hazardous waste material in the roll-off containers located on site.

14. At no time shall ENPRO store hazardous waste on its loading dock for a period exceeding one 8 hour shift. ENPRO may store hazardous waste on its loading dock during an 8 hour shift in order to consolidate waste for immediate shipment off-site or prior to transferring hazardous waste from conveyances into the storage areas. At no time throughout the course of its operations shall ENPRO consolidate metal contaminated liquid wastes in roll off containers.

15. ENPRO shall not store mercury (D009) or explosive waste as identified in Chapter 850, Section 3 B (4)(a)(vi)-(viii) of the Department's rules. Mercury may however be stored if it is fully contained in a lab pack container.

16. ENPRO shall submit a consolidated copy of the renewal application within sixty (60) days of the Boards approval of ENPRO's renewal license.

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17. ENPRO shall submit as built drawings of the solid waste treatment building within thirty (30) days of completion of construction.

18. ENPRO shall submit documentation that the 40 mil liner proposed for the solid material treatment building meet National Sanitary Foundation (NSF) Standard # 54 specifications if one exists for the material or submit an alternate method for the Department's approval.

19. ENPRO shall provide a copy of the liner installation company qualifications and Quality Assurance Quality control (QA/QC) plan to be followed during the operation.

20. ENPRO shall provide the location of proposed monitoring wells associated with the solid material treatment building for the Department's review and approval.

21 If it is determine that the sealant protecting the concrete bins is impracticable due repeated repairs from damage caused by the mixing process, ENPRO may propose an alternate method of protecting the concrete for review and approval by the Department.

DONE AND DATED AT AUGUSTA, MAINE, THE _____DAY OF

_____ 2010.

BOARD OF ENVIRONMENTAL PROTECTION

BY: _____
Susan Lessard, Chair

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

Date of Receipt of Application November 20, 2008

Date of application accepted for processing December 17, 2008